REMARKS

Applicant has amended the specification and claims 1, 12, 30, and 39 and added new dependent claims 43 and 44 as set forth above. No new matter has been added by way of these amendments. Applicant notes with appreciation the Examiner's indication that claims 22-29 are allowed and claims 4, 5, 7, 14, 15, 17, 34-38 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

The Office has rejected claims 1-3, 6, 8-13, 16, 18-21, 30-33, 39-42 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,065,046 to Feinberg et al. (Feinberg) in view of the Examiner taking Official Notice. The Office asserts that Feinberg discloses a file picker (col. 12, lines 40-44) and an encrypter (col. 11, lines 58-66). The Office acknowledges that the remaining limitations are not met by Feinberg, but takes Official Notice that a request page, a destination specification page, a key generator and a notifier are well known in a system typical of this since a request is necessary to fetch the appropriate items, a destination is needed to determine who will get the information, the key generator is necessary for encrypting the file and these is usually a notifier to alert an user that their information has been transferred and is ready for procurement.

Neither Feinberg nor what the Examiner has taken as Official Notice, disclose or suggest, "a destination specification page including a destination specification tool with which the user at the one of the client computers specifies a destination to another one of the client computers of the secure file transfer . . . a file picker prompting the user at the one of the client computers to select a file for transfer to the destination" as recited in claim 1, "a destination specification page including a destination specification tool with which the user at the one of the client computers specifies a destination to another one of the client computers of the secure file transfer . . . a file picker prompting the user at the one of the client computers to select a file for transfer to the destination at the another one of the client computers" as recited in claim 12, or "a file picker with which a sending user at one of the client computers specifies a file to be transferred to a recipient . . . a file sender that transfers the encrypted file to an encrypted file storage location with a destination at another one of the client computers which was selected by the sending user at the one of the client computers" as recited in claim 30.

The Examiner's attention is respectfully directed to col. 12, lines 40-44 in Feinberg which states, "[T]he processing unit 54 of user computer 12 includes a code-module exchanger 56 which generates requests for desired code modules of an applications program as those code modules are required during execution of the applications program by the user" (Emphasis added). Accordingly, Feinberg simply discloses a system where a user computer can request code modules for itself as needed during the execution of an applications program. However, nowhere does Feinberg nor what the Examiner has taken as Official Notice teach or suggest a system or method where a client computer can select which file is going to be transmitted and a destination for that file to another client computer. With the present invention, files can be selected for transfer and a destination can be selected regardless of whether or not there was a request or need for the selected file at the destination. Accordingly, in view of the foregoing amendments and remarks, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1, 12, and 30. Since claims 2, 3, 6, and 8-11 depend from and contain the limitations of claim 1, claims 13, 16, and 18-21 depend from and contain the limitations of claim 12, and claims 31-33 and 39-42 depend from and contain the limitations of claim 30, these claims are distinguishable over the cited reference and are patentable in the same manner as claims 1, 12, and 30.

Neither Feinberg nor what the Examiner has taken as Official Notice, disclose or suggest, "wherein the notifier sends an e-mail message to the recipient" as recited in claims 10 and 20. As discussed in greater detail above, the user computer in Feinberg submits requests for code modules for itself which are then directly sent to the requesting user computer. As a result, there is no need for a notification email in Feinberg and there is no motivation to combine what the Examiner has taken Official Notice of regarding e-mail notification of transmitted files waiting to be picked up with Feinberg. In view of the foregoing remarks, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 10 and 20.
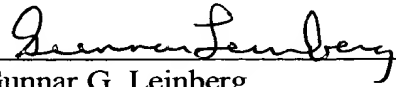
The Office has objected to claims 4, 5, 7, 14, 15, 17, 34-38 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the foregoing amendments and remarks with respect to claims 1, 12, and 30 from which these claims depend, these dependent claims are believed to be in condition for allowance and no further amendment is believed to be necessary.

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Applicant has added new dependent claims 43 and 44 which are believed to be distinguishable over the cited references and in condition for allowance. A notice to this effect is respectfully requested.

In view of all of the foregoing, applicant submits that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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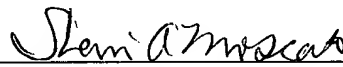Facsimile: (585) 263-1600

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